

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
NOVEMBER 6, 2008

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5012X In the Matter of the Estate of Diaz

M-5013X Russeck Fine Art Group, Inc. v Theodore B. Donson, Ltd.  
(And a third-party action)

M-5014X Bel Canto Society, Inc. v Whitehurst & Clark Book  
Fulfillment, Inc.

Appeals withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4958 Cupi v Martinez - St. Christophers, Inc. - Estate of  
Cupi

Appeal, previously perfected for the October 2008 Term,  
withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4937 Antongiorgi v Golden Eagle, Inc. - Delosangeles  
(And another action)

M-4938 Senzon v Anjac Corp. - Wedemier

M-5002 PL Diamond LLC v Becker-Paramount, LLC - Paramount  
Diamond Holdings LLC

Appeals, previously perfected for the November 2008,  
Term withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4879 Orix Financial Services, Inc. formerly known as  
Orix Credit Alliance, Inc. v Spence Logging Company,  
Inc.

Appeal, previously perfected for the December 2008  
Term, withdrawn.

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4550 Abead Realty v Carmen

Appeal dismissed.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4684 People v Banshoshan, Yves

Notice of appeal deemed timely filed; leave to  
prosecute appeal as a poor person denied, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4724 In the Matter of Daniels v New York City Housing  
Authority

Leave to prosecute appeal as a poor person denied.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4608 People v Ortiz, Adrian, also known as Ortiz, Adnan

Motion deemed withdrawn.

Lippman, P.J., Mazzairelli, Williams, Buckley, Renwick, JJ.

M-4687 CS Plumbing v Action Nissan Inc. - Pinnacle Nissan,  
LLC, doing business as White Plains Nissan

Time to perfect appeal enlarged to the February 2008  
Term, as indicated.

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4497 Foster v Alfred S. Friedman Management Corp. - Odemene

Appeals and cross appeal consolidated, as indicated;  
time to perfect same enlarged to the April 2009 Term, as  
indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4163 Glatzer v Bear, Stearns & Co., Inc.  
(And another action)

Time to perfect appeals enlarged to the February 2009  
Term, as indicated. Clerk directed to calendar appeals for  
hearing together in said Term. Motion otherwise denied.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4667 Albunio v City of New York - New York City Police  
M-4753 Department  
(And another action)

Time to perfect consolidated appeals enlarged to the  
March 2009 Term; consolidated appeals dismissed unless perfected  
for said Term, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4678 Allstate Insurance Company v Belt Parkway Imaging, P.C.  
Time to perfect appeal enlarged to the February 2009  
Term.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4739 Broadway-Leonard Development, LLC v Russo  
Time to perfect consolidated appeals and cross appeal  
enlarged to the March 2009 Term, as indicated.

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-4182 Kaspi v Fairway Operating Corp.  
Enlargement of time to perfect appeal denied.

Lippman, P.J., Sweeny, Catterson, Renwick, JJ.

M-4767 Kaye v Trump  
(And another action)  
Appeals consolidated, as indicated; Clerk directed to  
calendar same for the January 2009 Term.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4728 People v Martinez, Alex  
Appeal deemed withdrawn.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4750 People v Hidalgo, Victor

Appeals deemed withdrawn.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-4079 Liberato v Ship-Gol Ltd.

M-4877

Motion and appeal deemed withdrawn.

Tom, J.P., Mazzairelli, Saxe, Nardelli, Buckley, JJ.

M-4915 Hasan v Naz

(And another action)

Leave to prosecute appeal as a poor person and related relief denied.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4681 People v Denson, Raymond

Leave to prosecute appeal as a poor person and related relief granted; Clerk of the Supreme Court shall expeditiously have made and filed with the criminal court two transcripts of the SORA hearing and other proceedings, as indicated.

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4528 People v Ortiz, Carlos, also known as Otero, Osvaldo

Notice of appeal deemed timely filed; leave to prosecute appeal as a poor person granted, as indicated.

Tom, J.P., Gonzalez, Williams, Moskowitz, Freedman, JJ.

M-4517 People v Morales, Vanessa

Leave to prosecute appeal as a poor person denied, with leave to renew, as indicated.

Tom, J.P., Saxe, Nardelli, Sweeny, JJ.

M-3938 People v Jenkins, James

Writ of error coram nobis denied.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4803 People v Pineyro, George

Time to perfect appeal enlarged to the March 2009 Term.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4513 In the Matter of C., Gregory L. v S. Nyree

Leave to withdraw as counsel granted, as indicated; time to perfect appeal enlarged to the March 2009 Term. Motion otherwise denied.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4580 Wathne Imports, Ltd. v PRL USA, Inc.

Appeals consolidated, as indicated.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4752 In the Matter of Schachter v Sofasa LLC, doing business  
as DIAMCO Trading Co.

Stay denied.

Tom, J.P., Nardelli, Sweeny, McGuire, DeGrasse, JJ.

M-4584 Canfi USA Inc. v Dusica Dusica, Inc.

Stay denied.

Mazzarelli, J.P., Andrias, Nardelli, Buckley, Freedman, JJ.

M-4491 Torres v Lenox Hill Hospital - Estate of Villacis

Appeals deemed withdrawn.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3271 Lee v City of New York

M-3625

Appeal from order entered March 25, 2008 (mot. seq.  
no. 006) dismissed, as indicated; cross motion denied.

Mazzarelli, J.P., Friedman, Sweeny, Moskowitz, JJ.

M-4484 People v Leak, Daniel

Leave to prosecute appeal as a poor person granted, as  
indicated.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4467 People v Harrison, Anthony, also known as Harrison, A.

Notice of appeal deemed timely filed; leave to prosecute appeal as a poor person granted, as indicated.

Mazzarelli, J.P., Andrias, Nardelli, Buckley, Freedman, JJ.

M-4270 People v Williams, Matthew

Leave to file pro se supplemental brief granted for the February 2009 Term, to which Term appeal adjourned, as indicated.

Mazzarelli, J.P., Andrias, Nardelli, Buckley, Freedman, JJ.

M-4826 Long v Sowande

Time to perfect appeal enlarged to the February 2009 Term.

Mazzarelli, J.P., Friedman, Nardelli, Williams, Freedman, JJ.

M-4353 In the Matter of F., Jaffa Wally - Episcopal Social Services - W., Thelma Lynn - F., Selvin, also known as F., Selvin, Sr.

Substitution of law guardian granted, as indicated; appeal adjourned to the February 2009 Term.

Mazzarelli, J.P., Catterson, Moskowitz, Acosta, JJ.

M-3629 Brady v City of New York

Reargument or other relief denied.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4747 People v Woods, Charles

Leave to prosecute appeal as a poor person granted, as indicated.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4669 Santos v Ford Motor Company - Estate of Santos

Time to perfect appeals enlarged to the February 2009 Term.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4740 Wiesel v 310 East 46 LLC

Time to perfect appeal enlarged to the February 2009 Term.

Saxe, J.P., Catterson, McGuire, Acosta, DeGrasse, JJ.

M-4462 Khotyanova v New York Community Hospital

Leave to prosecute appeal as a poor person denied.

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-5017 Milberg Weiss LLP v Kallas

Stay granted on condition appeal perfected for the February 2009 Term, as indicated (See M-5027, M-5028 and M-5029 decided simultaneously herewith).

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-5027 Kallas v Weiss

Stay granted on condition appeal perfected for the February 2009 Term, as indicated (See M-5017, M-5028 and M-5029 decided simultaneously herewith).

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-5028 Bershad v Kallas

Stay granted on condition appeal perfected for the February 2009 Term, as indicated (See M-5017, M-5027 and M-5029 decided simultaneously herewith).

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-5029 Schulman v Kallas

Stay granted on condition appeal perfected for the February 2009 Term, as indicated (See M-5017, M-5027 and M-5028 decided simultaneously herewith).

Gonzalez, J.P., McGuire, Moskowitz, DeGrasse, Freedman, JJ.

M-4815 A-1 Entertainment LLC v 27<sup>th</sup> Street Property LLC

Preliminary appellate injunction denied.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-4275 In the Matter of Stuart G. Fish,  
an attorney and counselor-at-law:

Respondent suspended from the practice of law in the State of New York, effective the date hereof, until such time as disciplinary matters pending before the Committee have been concluded and until further order of this Court. Opinion Per Curiam. All concur.

**The following orders were entered and filed on October 30, 2008**

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4453 Escobar v Guzman - Polanco

Stay of trial granted.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4659 In the Matter of Williams v Donovan  
M-4727

Vacatur of stay granted unless proceedings perfected for the February 2009 Term and petitioner continues to make rent payment. Leave to prosecute proceedings as a poor person granted to the extent indicated. Petitioner permitted to dispense with certain fees, as indicated.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-4039 People ex rel. Hill, Renata v Warden

Motion granted to extent of continuing relief granted by an order of a Justice of this Court dated August 19, 2008 on condition appeal perfected for the January 2009 Term.

Tom, J.P., Mazzarelli, Saxe, Nardelli, Buckley, JJ.

M-4780 Life Receivables Trust v Goshawk Syndicate 102 at  
Lloyd's - Life Settlement Corporation, doing business  
as Peachtree Life Settlements

Stay granted on condition appeals perfected for the  
February 2009 Term, as indicated.

Mazzarelli, J.P., Andrias, Saxe, Friedman, Acosta, JJ.

M-4964 French v Schiavo

Defendants directed to serve and file brief no later  
than November 3, 2008 for the December 2008 Term; plaintiff  
directed to serve and file brief no later than November 13, 2008;  
defendants directed to serve and file reply brief no later than  
November 21, 2008, as indicated.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-3911 Danica Plumbing & Heating LLC, now known as Danica  
Group LLC v 3536 Cambridge Avenue, LLC

Stay granted on condition appeal perfected for the  
February 2009 Term, as indicated.

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-4872 JT Magen v Hartford Fire Insurance Company

Appellants directed to file supplemental record, as  
indicated.

**The following order was entered and filed on October 31, 2008**

Tom, J.P., Mazzairelli, Saxe, Nardelli, Buckley, JJ.

M-4566      Concord Village Owners, Inc. v Trinity Communications  
M-4733      Corp. - Time Warner Cable of New York City - Time  
             Warner, Inc. - Trinity Communications Corp. - Central  
             Locating Service, Ltd.

Appeal taken by Time Warner adjourned to the January 2009 Term, for which Term respective appellants directed to perfect their appeals. Clerk directed to calendar appeals for hearing together in said Term. Motion and cross motion otherwise denied.

**The following order was entered and filed on November 3, 2008**

Lippman, P.J., Sweeny, Catterson, Acosta, Renwick, JJ.

M-4925      551 West Chelsea Partners, LLC v 556 Holding LLC  
             Appellant's reply appendix deemed filed.